IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Barnard, et al. Docket: 135717

Serial No.: 10/016,677 **Art Unit:** 2667

Filed: December 10, 2001 Examiner: Rhonda L. Murphy

Title: Failover Apparatus and Method for an Asynchronous Data Communication

Network

AMENDMENT UNDER 37 C.F.R. § 1.116

M/S Non-Fee Amendments Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Final Office Action ("Office Action") dated June 5, 2006, Applicants respectfully request entry of the following amendment to the claims under 37 C.F.R. §1.116 on the grounds that the amendment places the application in condition for allowance.